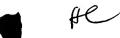


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APPLICATION NO.		FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
09/930,582		08/15/2001	Jonathan Stanley Harold Denyer	102199-201	3302	
27267	7590	04/01/2003				
WIGGIN &			EXAMINER			
ONE CENT	URY T	ENT DOCKETING OWER, P.O. BOX		MENDOZA, MICHAEL G		
NEW HAVE	ziv, CI	06508-1832		ART UNIT PAPER NUMBER		
				3761		
				DATE MAILED: 04/01/2003	Ö	

Please find below and/or attached an Office communication concerning this application or proceeding.

•	Application No.	Applicant(s)	•				
Office Action Comments	09/930,582	DENYER ET AL.	PR				
Office Action Summary	Examiner	Art Unit	•				
TI MANUAL DATE (III	Michael G. Mendoza	3761					
The MAILING DATE of this communication app Period for Reply	ears on the cover sheet with the C	corresponaence adaress					
A SHORTENED STATUTORY PERIOD FOR REPLY THE MAILING DATE OF THIS COMMUNICATION. - Extensions of time may be available under the provisions of 37 CFR 1.1 after SIX (6) MONTHS from the mailing date of this communication. - If the period for reply specified above is less than thirty (30) days, a reply - If NO period for reply is specified above, the maximum statutory period or - Failure to reply within the set or extended period for reply will, by statute - Any reply received by the Office later than three months after the mailing earned patent term adjustment. See 37 CFR 1.704(b). Status	36(a). In no event, however, may a reply be tir y within the statutory minimum of thirty (30) day will apply and will expire SIX (6) MONTHS from , cause the application to become ABANDONE	nely filed rs will be considered timely. the mailing date of this communi D (35 U.S.C. § 133).	cation.				
1) Responsive to communication(s) filed on 15 A	<u> August 2001</u> .						
2a) ☐ This action is FINAL . 2b) ☑ Th	is action is non-final.						
3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under <i>Ex parte Quayle</i> , 1935 C.D. 11, 453 O.G. 213.							
Disposition of Claims							
 4) Claim(s) 1-6 is/are pending in the application. 4a) Of the above claim(s) is/are withdraw 	un from consideration						
5) Claim(s) is/are allowed.	wit from consideration.						
6)⊠ Claim(s) <u>1-6</u> is/are rejected.							
7) Claim(s) is/are objected to.							
8) Claim(s) are subject to restriction and/o	r election requirement						
Application Papers	r dissilon requirement.						
9) The specification is objected to by the Examine	r.						
10) The drawing(s) filed on is/are: a) accepted or b) objected to by the Examiner.							
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).							
11) ☐ The proposed drawing correction filed on is: a) ☐ approved b) ☐ disapproved by the Examiner.							
If approved, corrected drawings are required in reply to this Office action.							
12) The oath or declaration is objected to by the Ex	aminer.						
Priority under 35 U.S.C. §§ 119 and 120							
13) Acknowledgment is made of a claim for foreign	priority under 35 U.S.C. § 119(a)-(d) or (f).					
a)⊠ All b)□ Some * c)□ None of:							
1. Certified copies of the priority documents							
2. Certified copies of the priority documents							
 3. Copies of the certified copies of the prior application from the International But * See the attached detailed Office action for a list 	reau (PCT Rule 17.2(a)).						
14) Acknowledgment is made of a claim for domestic	c priority under 35 U.S.C. § 119(e	e) (to a provisional appli	cation).				
a) ☐ The translation of the foreign language provisional application has been received. 15)⊠ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.							
Attachment(s)							
1) Notice of References Cited (PTO-892) 2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) Information Disclosure Statement(s) (PTO-1449) Paper No(s) 4	5) Notice of Informal F	(PTO-413) Paper No(s) Patent Application (PTO-152)	<u></u> .				

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

- (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.
- 2. Claims 1-6 are rejected under 35 U.S.C. 102(b) as being anticipated by Wolf 5809997.
- 3. Wolf teaches a system and method for delivery of a drug to a patient comprising: a drug delivery device including a breath analyzer (col. 5, lines 60-67, and col. 6, lines 1-9); a data carrier (col. 6, lines 26-40); a data analyzer including a trend generator and means for identifying non-compliant use of the drug delivery device (col. 6, lines 16-21).

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Art Unit: 3761

Contacts

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael G. Mendoza whose telephone number is (703) 305-3285. The examiner can normally be reached on Mon.-Fri. 8:00 a.m. - 5:00 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Weilun Lo can be reached on (703) 308-1957. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 306-4520 for regular communications and (703) 306-4520 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0858.

MM March 21, 2003

> WEILUN LO SUPERVISORY PATENT EXAMINER TECHNOLOGY CENTER 3700